

REMARKS

Claims 18 and 19 have been canceled as the subject matter therein is substantially covered under Claim 11 and the other process claims.

Claim 40 has been amended to broaden the scope of the claim in view of the recent Board of Patent Appeals and Interference decisions related to similar patent claims. *See e.g., Ex parte Sun*, No. 2003-1993 (Bd. Pat. App. Int. Jan. 20, 2004); *Ex parte Meyers*, No. 2003-1820 (Bd. Pat. App. Int. Aug. 31, 2004); and *Ex parte Vogelstein*, No. 2002-0779 (Bd. Pat. App. Int. Dec. 30, 2002). Claims 49 and 50 have also been added for the same reasons.

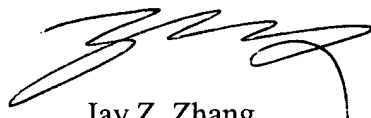
In addition, Claims 41 and 42 have been amended and new Claims 47 and 48 have been added.

The amendments and new claims are fully supported in the specification and no new matter has been added.

It is noted that the previously submitted response to the first Office Action fully applies to and supports the amendments and new claims. Entry of the amendments and the new claims and reconsideration of the rejections in view of the previously submitted response are respectfully requested. In particular, the above cited Board decisions make it clear that the all claims satisfy the written description and the enablement requirements under 35 USC § 112, first paragraph. Early issuance of a notice allowance is respectfully requested.

It is not believed that any time extension or fees are required with this response. If this is incorrect, an extension of time as deemed necessary is hereby requested, and the Commissioner is hereby authorized to charge any appropriate fees or deficiency or credit any over payment to Deposit Account no. **50-1627**.

Respectfully submitted,



Jay Z. Zhang
Registration No. 44,003

Intellectual Property Department
Myriad Genetics, Inc.
(Customer No. 26698)
320 Wakara Way
Salt Lake City, UT 84108
Telephone: 801-584-3600
Fax: 801-883-3871

Date: May 5, 2005